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REPORT OF THE SECRETARY-GENERAL ON THE INTERNATIONAL CONFERENCE ON THE FORMER YUGOSLAVIA: RECENT ACTIVITIES OF THE WORKING GROUPS

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INTRODUCTION

1. In recent reports submitted to the Security Council, I informed the Council about developments in the peace talks on Bosnia and Herzegovina being conducted by the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia (S/25050, S/25221, S/25248 and S/25403).

2. In two earlier reports, I had informed the Council about other activities undertaken within the framework of the International Conference (S/24795 of 11 November 1992 and S/25015 of 24 December 1992). The present report provides information on the activities of the Working Groups of the Conference since the beginning of 1993.

I. WORKING GROUP ON BOSNIA AND HERZEGOVINA

3. The activities undertaken with regard to the situation in Bosnia and Herzegovina have been dealt with in my recent reports to the Council (S/25050, S/25221, S/25248 and S/25403).

II. WORKING GROUP ON HUMANITARIAN ISSUES

4. The Working Group on Humanitarian Issues, chaired by Mrs. S. Ogata, the United Nations High Commissioner for Refugees, has continued to address the plight of refugees, displaced persons and other victims of conflict. As humanitarian lead agency in the former Yugoslavia, UNHCR maintains intensive contacts with all relevant counterparts in the region. Contacts at the governmental level take place through Mrs. Ogata's Special Representative, who travels to the various capitals on a regular basis, and through her Chiefs of Mission in those capitals. These contacts are complemented and supported by official sessions of the Working Group at Geneva and in the field, as required. The Working Group has proven to be a useful forum for negotiations with the Bosnian parties.

5. On 11 January 1993, Mrs. Ogata addressed a plenary session of the peace talks on Bosnia and Herzegovina, attended by the Bosnian parties and by the Presidents of Croatia, the Federal Republic of Yugoslavia (Serbia and Montenegro), Serbia and Montenegro. From 24 to 27 January, she visited Zagreb, Belgrade and Sarajevo to meet with Presidents Cosic, Milosevic and Tudjman, with the Bosnian leadership, and with Generals Nambiar and Morillon of the United Nations Protection Force (UNPROFOR). Upon returning to Geneva, she held separate working group sessions with President Izetbegovic, the Bosnian Croats (Mr. Boban) and the Bosnian Serbs (Dr. Karadzic).

6. Regarding Bosnia and Herzegovina, many of these contacts have concentrated on the need for unimpeded humanitarian access to all victims of conflict. During the period under review, the relief effort has been severely jeopardized. Harassment and endless delays at check-points have become daily occurrences. Fighting between Bosnian Croat and government forces was a serious set-back for the relief operation in central Bosnia, which accommodates the majority of displaced persons. UNHCR had to temporarily withdraw its staff from the

Serbian-held Banja Luka region because of security threats. Access to the government-held Bihac region was temporarily blocked by local Serb authorities in the Krajina region in Croatia, after fighting broke out in the pink zone adjacent to UNPA South. On 2 February, operations on the crucial Mostar road had to be suspended, after the killing of a UNHCR driver. On several occasions the airlift to Sarajevo had to be suspended due to security incidents, e.g., on 6 February, after a German plane was hit by anti-aircraft artillery. Most serious has been the denial of access to government-held enclaves in eastern Bosnia, inducing the Bosnian Government on 12 February to refuse further acceptance of humanitarian assistance in Sarajevo and Tuzla. After a new partial suspension, UNHCR and UNPROFOR managed to gain access to some of the enclaves, while American air drops, carried out in coordination with UNHCR, started relieving the dire conditions in other enclaves.

7. Despite these serious problems, the international relief effort, conducted by United Nations agencies, UNPROFOR, International Committee of the Red Cross and various non-governmental organizations has thus far prevented mass starvation. However, fighting and persecution continue to cause new victims and displacement, especially in eastern Bosnia. In close cooperation, the humanitarian organizations are preparing for the arrival of thousands of victims in Tuzla, central Bosnia. Of great concern are the sharply declining economic conditions in this region, as tensions between Bosnian Croat forces and the government side are negatively affecting the circulation of commercial goods.

8. Newly arriving refugees are adding to the already enormous burden of adjacent countries, where socio-economic conditions have continued to decline. For this reason, Mrs. Ogata convened on 25 March 1993 a meeting of the Humanitarian Issues Working Group, uniting all countries of the region, the international donor community and other interested States, the Department of Humanitarian Affairs and international governmental and non-governmental organizations. At this meeting the overall humanitarian situation was assessed, and a new consolidated appeal for the period 1 April-31 December 1993 was launched.

III. WORKING GROUP ON ETHNIC AND NATIONAL COMMUNITIES AND MINORITIES

9. Since the Working Group on Ethnic and National Communities and Minorities met in December with representatives of Muslims from Sandzak and of the Hungarians, Croats and Slovaks from Vojvodina, no new meeting could be arranged, due to elections and changes of the Governments in Serbia, Montenegro and in the Federal Republic of Yugoslavia.

10. On 10 March, the Chairman of the Group, Ambassador Ahrens, and members of the Working Group, had a first meeting in Belgrade with Mrs. Savovic, the new Minister for Human Rights and Minorities in the Federal Government. In this first exchange of views, Mrs. Savovic showed a positive attitude towards the activities of the Group. The Chair stressed the importance of resuming, as soon as possible, the work of the Group on all items that had been on its agenda, so far.

11. The Group had planned to meet the same day in Belgrade with representatives of the Hungarian minority in Vojvodina, but the meeting had to be cancelled because the Hungarians were apparently unable to attend. A meeting in Belgrade with Serbs from the Gorski Kotar area in Croatia, scheduled for 10 March 1993, was also called off.

12. Since the beginning of the year, two trilateral meetings were held on minority issues in the former Yugoslav Republic of Macedonia. The first took place from 20 to 22 January, in Skopje, the second on 10 and 11 February, at Geneva. Before the meeting in Skopje, the Group stopped for talks in Tirana, where they were received by President Berisha. Voicing his concern about the development in the south-eastern part of the former Yugoslavia, President Berisha expressed strong support for the endeavours of the group, adding that everything should be done to stabilize the situation in the former Yugoslav Republic of Macedonia and in Kosovo.

13. The talks on the former Yugoslav Republic of Macedonia continue to follow the pattern of slow but steady progress. Improvements could be achieved, for instance, on the use of minority languages and the reopening of a number of secondary school classes in Albanian. Progress is under way concerning the situation in the media sector, a census with participation of the Albanians and on self-administration.

14. The European Community Commission is considering financial support for the census. On 8 March, Ambassador Rey attended a meeting in Brussels with representatives of the European Community Commission and the Council of Europe on organizational and financial aspects of the census. Everything will be done to have the census organized before the end of the year.

15. A further trilateral meeting on the former Yugoslav Republic of Macedonia was planned to take place in Skopje on 10 and 11 March. It was the intention of the Group to clarify at that meeting remaining issues concerning the media sector as well as to take up all other pending issues such as the law on local self-government, the law on foreigners, the three laws on elementary, secondary and university education, as well as certain problems related to the implementation of the law on citizens and legislation related to the organization of administration and of the organization of the courts. Invoking technical problems, the Government asked for postponement of the meeting. It is the Group's hope that work on the outstanding issues can be pursued as soon as possible in the spirit of cooperation which has so far characterized the talks.

16. When in Belgrade, Ambassador Ahrens met, on 10 March, with Patriarch Pavle on matters related to religious services for the Serbian ethnic group in the former Yugoslav Republic of Macedonia.

Special Group on Kosovo

17. The Special Group on Kosovo met at Geneva from 26 to 28 January and in Belgrade on 17 and 18 February. As in past meetings, the talks were limited to the subject of education, on which the Group still endeavours to reach pragmatic solutions in the hope of improving the overall climate between the parties, which continues to be far from positive.

18. The Kosovar Albanians presented their teaching plans. These were rejected by the Government on the ground that they contained an underlying assumption of independence for Kosovo. The Government made new proposals on the reinstatement of teachers and on the recognition of years spent in the parallel school system run by the Albanians. They were rejected by the Kosovar Albanian side, which insists on the "unconditional" reopening of school premises before they would be ready to address other issues.

19. In the talks on Kosovo, fundamental issues are constantly hindering the pragmatic approach for solutions in the field of education. The Group will pursue its efforts, but at the same time it is necessary to address fundamental issues in the light of the principles agreed upon at the London Conference.

20. When in Belgrade on 10 March, the Chair emphasized to Mr. Jovanovic, the Federal Minister for Foreign Affairs, the necessity of this double-track approach. While agreeing in principle, the Foreign Minister stressed the desirability for success on the educational issue as a first step before other issues were approached. On 17 March, Ambassador Ahrens had a discussion with Mr. Bukoshi, who spoke on behalf of Albanians from Kosovo. There was agreement that everything should be tried to achieve progress in the ongoing talks. Mr. Bukoshi informed Ambassador Ahrens that authorities in Kosovo had taken away the passport of Professor Statovci, a member of the Kosovar Albanian negotiating team since the beginning, on whose participation the Kosovar Albanians had to insist.

IV. WORKING GROUP ON SUCCESSION ISSUES

21. The Working Group on Succession Issues, which is chaired by Ambassador J. Bojer, has met twice in 1993, from 19 to 22 January in Brussels, and from 8 to 11 March at Geneva. On 12 March 1993, a joint meeting of the Economic Issues and State Succession Working Groups was held at Geneva.

22. In the January meeting, delegations from all successor States of the former Yugoslavia participated. The delegations of Bosnia and Herzegovina and the former Yugoslav Republic of Macedonia were both delayed. On the basis of a working paper by the late Chairman of the State Succession Working Group, Mr. Henry Darwin, the participants continued drafting texts on succession with respect to citizenship, acquired rights and pensions. State archives and diplomatic and consular property were also discussed.

23. In the meeting in March, delegations from Croatia, from the former Yugoslav Republic of Macedonia and from Slovenia took part. A representative of Bosnia and Herzegovina was present during part of the meeting as an observer. The delegation of Bosnia and Herzegovina stated that its non-participation was due to the impossibility for its delegates, who had remained in Zagreb since the previous meeting in January, to go to Sarajevo to receive instructions prior to the meeting owing to UNPROFOR's practice concerning transport of government representatives in and out of Sarajevo. The delegation of the Federal Republic of Yugoslavia (Serbia and Montenegro) had, on 4 March, asked for a postponement of the meeting until after 22 March because of the change of government in Belgrade. The Chairman decided not to postpone the meeting at such short notice, as other delegations had already undertaken extensive preparations for

the meeting. There were no representatives of the Federal Republic of Yugoslavia present at the meeting.

24. On substantive issues, the three delegations formally participating drafted texts on succession with respect to state archives and rules concerning distribution of immovable and movable properties administered by the former Federal Secretariat for Foreign Affairs of the Socialist Federal Republic of Yugoslavia. Pension obligations was the third major issue discussed at the meeting.

25. At the joint meeting of the Economic Issues and State Succession Working Groups on 12 March, the participants discussed the implications of the conclusions in Mr. Durieux's "Chairman's Report on the Valuation of the Assets and Liabilities of the Former SFRY", of 26 February 1993, on the coordination of the future work of the two working groups.

26. The plan for the next meeting of the Working Group on Succession Issues, scheduled to take place from 5 to 7 April 1993 at Geneva, is to carry on the drafting of texts on succession with respect to financial assets and liabilities of the former Socialist Federal Republic of Yugoslavia, rules for the distribution of immovable and movable properties (abroad), State archives, pensions, and legal problems related to the draft single inventory of the assets and liabilities of the Socialist Federal Republic of Yugoslavia.

V. WORKING GROUP ON ECONOMIC ISSUES

27. The Working Group on Economic Issues is chaired by Mr. J. Durieux.

Meeting: Brussels, 20 and 21 January 1993

28. The six subgroups charged with the valuation of the assets and liabilities of the former Federation met to review the latest draft of a report on this valuation. The meeting revealed uneven progress across the six subgroups with some basic information still missing and some estimated values being contested. The gap between the undisputed part of the inventory and those parts which some of the delegations felt ought not to be considered in the framework of State succession remained wide.

29. Subsequent to this meeting some further information and comments were received which were included in the report. The final draft of the report was submitted to the Co-Chairmen on 4 March.

Meeting: Geneva, 17 February 1993

30. The main item on the agenda was the proposed high-level conference on the economic future of the countries of the former Yugoslavia. All delegations except Slovenia (the delegation of Bosnia and Herzegovina did not attend) thought the conference to be a useful idea, but felt that a number of conditions would need to be satisfied before it could be held, notably an effective cease-fire, the emergence of a global political settlement, progress on the lifting of sanctions and activation of the PHARE programme. Further work on the draft paper on the economic situation of the countries of the former Federation as

well as submissions from the Republics will follow, but progress is now dependent upon political factors.

VI. WORKING GROUP ON CONFIDENCE- AND SECURITY-BUILDING AND VERIFICATION MEASURES

31. The Working Group on Confidence- and Security-Building and Verification Measures, chaired by Mr. V. Berasategui, recommenced its activity this year on 18 January 1993. At that meeting, the Working Group heard a report from UNHCR on incidents which had jeopardized its humanitarian airlift and which were in violation of the 15 September 1992 agreement on confidence-building measures (see S/24634). UNHCR strongly appealed to all sides to respect the humanitarian nature of the airlift.

32. In December 1992, the Working Group had begun consideration of a proposal for a preliminary exchange of information among parties in the former Yugoslavia on weapons systems and levels of armed forces, in order to facilitate confidence-building measures. At the meeting on 18 January, the Chairman of the Working Group announced that, after consultation with the Co-Chairmen of the Steering Committee, he was deferring further work, in the light of the crucial stage of the negotiations on a peace plan for Bosnia and Herzegovina.